

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Frankie Jae Lord Master,	)	
	)	
Plaintiff,	)	<b>ORDER DENYING MOTIONS FOR</b>
	)	<b>RECONSIDERATION AND TO</b>
vs.	)	<b>APPOINT COUNSEL</b>
	)	
Kieth Epps, et. al.,	)	
	)	Case No. 1:14-cv-129
Defendants.	)	

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Plaintiff, an inmate incarcerated in the State of Virginia, initiated the above-captioned action in this district *pro se* on October 14, 2014, with the submission of an application to proceed *in forma pauperis* and proposed “Complaint under Civil Rights Act of 42 U.S.C. § 1983.”<sup>1</sup> Upon screening the proposed complaint as required by 28 U.S.C. § 1915A, the court concluded that it lacked personal jurisdiction over defendants and that plaintiff had failed to assert a cognizable constitutional claim. Consequently, on October 16, 2014, it issued an order denying plaintiff’s application to proceed *in forma pauperis* and dismissing the above-entitled action without prejudice.

On October 27, 2014, plaintiff filed what the court construes motions to appoint counsel and for reconsideration of its October 16, 2014, order. Having reviewed the record, the court finds no basis for reversing its previous order. As for plaintiff’s request for court-appointed counsel, the court finds that he is not entitled to counsel as a matter of right and, in any event, that appointment of counsel is not warranted under the circumstances. See Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006), Davis v. Scott, 94 F.3d 444, 447 (8th Cir. 1996).

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<sup>1</sup>Plaintiff consented to proceed before a Magistrate Judge on the last page of proposed amended complaint. (Docket No. 2).

Plaintiff's motions to appoint counsel and for reconsideration of the court's order dismissing the above-entitled action (Docket Nos. 6 and 7) are **DENIED**.

**IT IS SO ORDERED.**

Dated this 30th day of October, 2014.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court